

1894-078
Lee Co.

Chancery Causes: Jennie Sarver vs. James Sarver

Holliday, Wilson, Carroll

CA-Divorce

T-Migration

Vices

1 To The Hon. H. S. K. Morrison,
2 Judge of the Circuit Court of Lee County,
3 Virginia:

4 Humbly Complaining, your Oratrix,
5 Jennie ^{a citizen of this county} ~~Sarver~~ Wife of James Sarver
6 shews unto your honor that she was
7 married to the said James Sarver in the
8 year 1886 in the State of Tennessee and
9 that she is now a citizen of this county, she
10 and her husband having lived together
11 in this county for four years after the
12 said marriage and so continued till he
13 abandoned her about two years since.
14 There was no issue resulting from said
15 union. Your oratrix charges that her said
16 husband James Sarver was not only guilty
17 of cruel and inhuman treatment toward
18 her, and without just cause abandoned
19 her, but at divers times and with
20 numerous persons committed the act
21 of adultery, within the last five years
22 before ^{the} bringing of this suit, and since
23 the knowledge of the fact of said
24 adultery she has not cohabited with him
25 and that said acts were not committed
26 by the procurement or connivance of
27 your oratrix. Your oratrix further charges
28 that the said James Sarver is now a non
29 resident of this state leaving your oratrix
30 in this county (where they last cohabited) without
31 any thing or means of support.

32 The object of this suit is to obtain a divorce

1 from the bonds of matrimony.

2 The premises considered the prayer of
3 your orator is that the said James Somer
4 be made party defendant hereto and
5 required to answer the same on oath.
6 and that upon a hearing your honor
7 will grant your orator a full and
8 complete divorce dissolving the bonds
9 of matrimony now existing between your
10 orator and said deft. and if mistaken
11 in this her special prayer she prays for
12 all such other further and general relief
13 suited to the merits of her cause. May the
14 com. wit of spo. issue &c.

15 Jackson & Blankenship
16 attys for com. pet.
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H.C. \$5.89
 M.C. 4.40
 atty. 15.50
 \$25.79

Jennie Somner.
 vs 3 Arg. Bill.
 James Somner

1893 1st Febry Rules Bill filed
 3pa not executed & cont'd
 " 2nd Febry Rules cont'd
 " 14 2 March " "
 " 14 2 Apr. " "
 " 14 2 May " "
 " 14 2 June " "
 " 14 2 July cont'd
 " 14 2 Aug. R. "
 " 14 2 Sept " "
 " 1 0 etc alias Spoc & cont'd
 " 2 " " alias Spoc
 " 2 executed and cont'd
 1894 " Set for hearing by
 " plaintiff
 " June Term Decree
 final O.B. 4 P. 40

\$22.59

1890 to 1900

S.

X and that the said Jennie Sarver be forever divorced from the said James Sarver & that the plaintiff recover of the Deft. her costs in this behalf expended

Jennie Sarver, }
vs. } Isa Chy.
James Sarver }

This cause having been set for hearing came on this day to be heard upon the bill & Complaint & the Depositions of witnesses & was argued by Counsel. And it appearing to the Court that the allegations of said bill had been fully proven, it is adjudged, ordered & decreed that the Bonds of Matrimony heretofore existing between Jennie Sarver & James Sarver be, & the same are hereby dissolved. X And this Cause is stricken from the docket.

Jennie Sarver
N. { Deere
James Sarver

Emb. you Chy. Ord. Book P. 40

Enter this Deere
W. L. M.
June 15, 1894.

Virginia Lee County Court:
This day William Wilson personally
appeared before me and made oath
that on the 15th day of June 1894,
he delivered a ^{true} copy of the within
notice to James Barner.

Given under my hand this 15th
day of June 1894.

H. C. Goslyn J.P.

Jennie Barner
W. } Notice to take
Depositions.
James Barner

Jennie Sarver Plaintiff

James Sarver ^{no. 3} depositions
seft

The depositions of George Halliday
Taken before me H. C. Jordan a
Justice of the Peace, in and for the
County of Lee & State of Virginia, at
the Law office of Jackson &
Blankenship, in the town of Jonesville
pursuant to notice hereto attached.

The said depositions are intended
to be read as evidence for the
Plaintiff in a certain suit in Equity
now pending in the Circuit Court of
Lee County, in which Jennie
Sarver is Plaintiff and James
Sarver is defendant.

George Halliday, a witness of
lawful age being duly sworn
deposes as follows,

Ques. 1. Please state your name, age,
occupation & place of residence?

Ans My name is George Halliday I am
38 years of age, a Farmer, and
I live in Lee County Va

Ques. 2. Please state whether or not you
are acquainted with Jennie Sarver
the Plff in this case, & if so, how
long have you known her?

Ans I know Jennie Sarver, the plaintiff, and
have known her at least five years.

Ques. 3. Please state whether or not the said Jennie Sorner, pliff in this case, was & has been a resident of this County & State for twelve months preceding the time of bringing this suit which was in Feb'y 1898?

Answer She was a Citizen of Lee County Va for twelve months previous to the bringing of this suit, and had been for several years before, and I have always understood that she was born and raised in Lee County.

And further this deponent soith not.

Witness claims
1 day 50 cts

George Holliday

William Wilson another witness of lawful age being duly sworn deposes and says,

Ques. 1. Please state your name, age, occupation & place of residence?

Ans. My name is William Wilson. I am 28 years of age. a Farmer, and I live near Jonesville Lee Co Va.

Ques. 2. Please state if you know how long Jennie Sorner, the pliff in this

Case, has been ~~a~~ ^a resident of
Lee Co., Va., & whether or not
she is still a resident of said
County & State?

Sussex. I have known Jennie Sarver for
four years. She has been a resident
of this County and State all that
time, and is ~~a~~ resident of this
County and State at the present
time.

And further this deponent saith not.
Witness claims 1 day 50 cts William ^{his} Wilson
Paid by Ref. Mark

Virginia Lee County To-wit:
I, Henry C. Foslyn a Justice of the Peace
in and for the said County and State,
do hereby Certify, that the foregoing
depositions of George Halliday and
William Wilson, were duly Taken
Sworn to and Subscribed before me,
at the time and place, mentioned
in the Caption of the same.
Given under my hand this 15th day
of June 1894.

H. C. Foslyn J. P.

Jennie Sarver
vs. $\frac{3}{4}$ In Equity
James Sarver

The Depositions of
Geo Halliday &
William Wilson

Filed June 1
Received from the Justice
before whom taken and
filed June the 15th 1894
A B Munsey Clerk

J. P. Fee, 75 ct

Jennie Sorver & Jf
vs. } Depositions.
James Sorver & Jf.

The Depositions of Rebecca J. Wilson
& Mary Corroll & Wm. Wilson
taken before me, H.C. Joslyn, a
Justice of the Peace in & for the County
of Lee & State of Virginia, at the
Land Office of Jackson & Banker's
in the Town of Jonesville, pursuant
to notice hereto attached; Said depo-
sitions are intended to be read as
evidence for the plaintiff in a
certain suit in Equity now pending
in the Circuit Court of Lee County
in which Jennie Sorver is Plaintiff
& James Sorver is defendant.

Rebecca J. Wilson, a witness of
lawful age being duly sworn
deposes & says:

Ques. State your name, age & place of
residence?

Answer Rebecca J. Wilson is my name
I am 23 years of age. and I
live about two miles North
West from Jonesville Va

Ques State whether or not you are acquainted with
Jennie & James Sorver & if you know whether
or not they once lived together as man & wife?

Answer. I am acquainted with James and Jennie Jarver. and I always heard that they were married, but they were living apart when I first knew them. I have heard them both say that they were man & wife.

Ques. State whether or not you know of James Jarver being guilty of committing the Crime of Adultery?

Answer. I know that James Jarver has been guilty of the Crime of Adultery, about one year ago I also know that James Jarver has been living with his Reynolds as man and wife for nearly a year, I have seen them in bed together several times.

And further this deponent saith not.

Witness claims
1 day. 50 cts Pd. by Plff.

Rebecca ^{her} J. Wilson
sworn

Mary Carroll another witness of lawful age being duly sworn deposes as follows.

Ques. State your name, age & place of residence?

Ans. My name is Mary Carroll, I am

26 years of age, and live in
Lee County Va.

Ques. State whether or not you know the
fact that James & Jennie
Sarver once lived together as husband
and wife?

Answer. I do know that James and Jennie
Sarver lived together as man and
wife. They lived together about four
years as man and wife.

Ques. State whether or not during the
time they lived together & after they
parted if you know of James
Sarver being guilty of the ^{act} ~~crime~~
of Adultery?

Answer. I know of his committing adultery
several times during the time
they lived together as man and
wife, and on many occasions
since they parted, during the time
they lived together as man and wife
James Sarver whipped his wife,
and was very cruel and mean
to her.

And further this deponent soith owt.

Witness claims
1 day 50 cts Pl. by Plff.

Mary ^{her} Carroll
Mark

William Wilson another witness
of lawful age being duly sworn
deposes as follows.

Ques. State your name, age, occupation
& place of residence?

Ans. My name is William Wilson, I am
27 years of age, a Farmer, and
I live in Lee Co Va.

Ques. State if you know whether or not
James Corner is now living with
another woman & all you may
know about it?

Answer He is living with a woman by
the name of Sis Reynolds. and has
been living with her about two
years to my knowledge. I have
seen them in bed together,
And further this deponent saith not.

Witness claims 1 day .50 cts
paid by Plff. William ^{Wm} Wilson
mark

Virginia Lee County To-wit.

I, Henry C. Forslyn a Justice of the Peace in and
for the said County and state, do hereby Certify,
that the foregoing deposition of Rebecca J. Wilson
Mary Carroll and William Wilson, were duly taken
sworn to and subscribed, before me, at the time
and place mentioned in the Caption of the same.
Given under my hand this 3^d day of
November 1893.

Henry C. Forslyn J.P.

Jennie Garner
De. Equity
vs.

James Carroll

Deposition of Witnesses

Received from
H. C. Forslyn the
Justice of the Peace
taken and filed
Nov 4th 1893
A. B. Munsey
Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*As at another time we have
Commanded you that Summon
James Sarver*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said
Court on the *third* Monday in *October*, 189 *3*, to answer a bill in Chancery,
exhibited against *him* in our said court by *Jennie Sarver*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *9th* day of *October*, 189 *3*, and in the *11th* year of
the Commonwealth.

A B Munsey Clerk.

Virginia Lee County Court.

This day William Wilson personally appeared before me and made oath, that on the 30th day of Oct 1893. he delivered a copy of the within summons. to James Sarver and read the same to him and explained to him the contents of same. Given under my hand this 3^d day of Nov 1893.

H. C. Foslyn J. P.

James Sarver

us. }
SUBPENA
IN CHANCERY.

James Sarver

James Sarver

To 2nd October Rules,

Circuit Court.

Not executed

James Sarver

James Sonner

TAKE NOTICE, That I will on the 3 day of
Nov. , 1893, at the Law Office of Jackson &
Blankenship, in Jonesville, Lee Co., Va.,
beginning at one o'clock P.M. on said day,
~~will~~ proceed to take the deposition of Minerva Sams, Rebecca J.
Willson et al

which, when taken, I intended to be read as evidence on my behalf in a certain suit in Chancery
now pending in the Circuit Court of Lee County, State of Va., in which
I, Jennie Sonner, am plaintiff and
you are defendant.

And if from any cause the same be not commenced, or if commenced, be not concluded on that day, the
taking thereof will be adjourned from time to time, and from place to place, until completed.

Oct. 28, 1893.

Very Respectfully,

By Counsel.

Jennie Sonner.

Virginia Lee County To wit:

This day William Wilson personally appeared before me and made oath that on the 30th day of October 1893. about noon of that day - that he delivered an exact copy of the within notice to James Sarver and read the same to him, and informed him of the contents. Given under my hand this 3d day of Nov 1893.

W. C. Joslyn J. P.

James Sarver
to { notice to take
depositions.

James Sarver